

51

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/869,215	PORAT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Betsy L. Deppe	2611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communications filed 6/15/06.
2. ☒ The allowed claim(s) is/are 1-11, 15-19 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20060808</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                          |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____.                                                                     |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment to claims 8 and 19 was given in a telephone interview with Mr. Shekleton on August 8, 2006.

Claims 1, 16 and 21 filed June 15, 2006 differs from the same claims filed February 21, 2006. For example, "the sleep mode to the operation mode" in claim 1, line 9, as filed June 15, 2006, differs from "a sleep mode to an operation mode" in claim 1, line 10, as filed on February 21, 2006. Based on the status identifier for claims 1, 16 and 21 filed June 15, 2006, it appears that the applicant did not intend to amend these claims. Therefore, claims 1, 16 and 21 have been amended to correct the inadvertent amendment to the respective claims in order to render them consistent with the claims filed on February 21, 2006.

2. The application has been amended as follows:
- a. in claim 1, line 9, change "the sleep mode to the operation mode" to --a sleep mode to an operation mode--;
  - b. in claim 1, line 16, change "a central" to --the central--;

Art Unit: 2611


- c. in claim 1, line 28, change "a sleep mode to an operation mode" to --the sleep mode to the operation mode--;
- d. in claim 8, line 3, insert a colon after "comprising";
- e. in claim 8, line 12, insert a semi-colon after "modem";
- f. in claim 8, line 19, delete "corresponding";
- g. in claim 16, line 3, "and" should be "an";
- h. in claim 19, line 1, insert a colon after "comprising";
- i. in claim 19, line 7, insert --and wherein a corresponding xDSL modem comprises:--;
- j. in claim 19, line 9, change "a corresponding xDSL" to --the xDSL--;
- k. in claim 19, line 14, insert "corresponding" before xDSL modem";
- l. in claim 19, line 16, insert "corresponding" before xDSL modem";
- m. in claim 21, line 1, change "and" to --an--; and
- n. in claim 21, line 6, change "a demodulated" to --the demodulated--;
- o. in claim 21, line 11, insert a colon after "comprising".

3. The drawings were received on June 15, 2006. These drawings are acceptable.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Betsy L. Deppe whose telephone number is (571) 272-3054. The examiner can normally be reached on Monday, Tuesday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Betsy L. Deppe  
Primary Examiner  
Art Unit 2611



Serial No. 09/869,215

Acceptable

PS  
8/8/06

United States Patent Application  
Title: System And Method For Establishing An AXDSL  
Data Transfer Link  
WELSH & KATZ, LTD.  
Docket No. 6521-83143 Replacement Sheet 1 of 1

